

(I) A PARENT OR GUARDIAN OF THE PERSON OF A MENTALLY RETARDED INDIVIDUAL WHO IS:

1. A MINOR; OR
2. UNLESS THE MENTALLY RETARDED INDIVIDUAL ASKS THAT DISCLOSURE TO THE PARENT OR GUARDIAN NOT BE ALLOWED, AN ADULT;

(II) A LAWYER OR OTHER INDIVIDUAL WHO IS AUTHORIZED:

1. BY THE MENTALLY RETARDED INDIVIDUAL; OR
2. BY ANOTHER INDIVIDUAL TO WHOM, ON BEHALF OF THE MENTALLY RETARDED INDIVIDUAL, DISCLOSURE OF THE RECORD IS AUTHORIZED; OR

(III) TO THE EXECUTIVE DIRECTOR OR A DESIGNEE OF THE EXECUTIVE DIRECTOR OF THE STATE DESIGNATED PROTECTION AND ADVOCACY AGENCY, IF:

1. THE AGENCY HAS RECEIVED A REQUEST FOR AN INVESTIGATION; AND
2. THERE IS NO OTHER PERSON TO WHOM, ON BEHALF OF THE MENTALLY RETARDED INDIVIDUAL, THE RECORD MAY BE DISCLOSED UNDER THIS PARAGRAPH.

(2) A FACILITY SHALL COMPLY WITHIN 14 DAYS AFTER A MENTALLY RETARDED INDIVIDUAL OR A PERSON WHO IS AUTHORIZED TO ACT ON BEHALF OF THAT INDIVIDUAL ASKS, IN WRITING:

- (I) TO RECEIVE A COPY OF A RECORD; OR
- (II) TO SEE AND COPY THE RECORD DISCLOSED.

(3) A FACILITY SHALL AFFORD THE RIGHTS UNDER PARAGRAPH (2) OF THIS SUBSECTION TO THE MENTALLY RETARDED INDIVIDUAL, IF:

- (I) A PERSON IS NOT AUTHORIZED TO ACT ON BEHALF OF THE MENTALLY RETARDED INDIVIDUAL; AND
- (II) THE ADMINISTRATIVE HEAD OF THE FACILITY DETERMINES THAT DISCLOSURE OF THE RECORD WOULD NOT BE DETRIMENTAL TO THE MENTALLY RETARDED INDIVIDUAL.

(4) IF A FACILITY REFUSES TO DISCLOSE A RECORD UNDER PARAGRAPH (3) OF THIS SUBSECTION, THE ADMINISTRATIVE HEAD OF THAT FACILITY SHALL APPLY, WITHIN 10 WORKING DAYS AFTER THE REFUSAL, TO THE CIRCUIT COURT FOR THE COUNTY WHERE THE FACILITY IS LOCATED FOR AN ORDER TO PERMIT THE ADMINISTRATIVE HEAD TO CONTINUE TO REFUSE DISCLOSURE TO THE MENTALLY RETARDED INDIVIDUAL.