

(a) (1) Subject to § 7-502(b) of this subtitle, within 60 days after the administration receives an application for admission of an individual, the Director shall arrange for a comprehensive evaluation of the individual:

(i) To determine whether the individual is a mentally retarded individual; and

(ii) If so, to determine:

1. Whether, for the protection or adequate habilitation of the individual, the individual needs any habilitation service, including any in-residence treatment; and

2. The type of environment in which any needed service could be provided with the least restriction on the liberty of the individual.

(2) Subject to § 7-502(b) of this subtitle, [when a] WITHIN 60 DAYS AFTER THE A private facility receives an application for admission of an individual, the private facility shall arrange with a facility the Administration has designated for that purpose for a comprehensive evaluation of the individual:

(i) To determine whether the individual is a mentally retarded individual; and

(ii) If so, to determine [whether the individual needs in-residence treatment for the protection of the individual or another or adequate care of the individual]:

1. WHETHER THE INDIVIDUAL NEEDS ANY HABILITATION SERVICE FOR THE PROTECTION OR ADEQUATE HABILITATION OF THE INDIVIDUAL, INCLUDING ANY IN-RESIDENCE TREATMENT; AND

2. THE LEAST RESTRICTIVE ENVIRONMENT IN WHICH ANY NEEDED SERVICE COULD BE PROVIDED TO THE INDIVIDUAL.

(b) In doing a comprehensive evaluation of an individual, the comprehensive evaluation team shall:

(1) Consider the needs of:

(i) The individual; and

(ii) The family unit of the individual;

and

(2) Recommend appropriate services in the least restrictive setting.