

(I) MAKE OR REFUSE TO MAKE THE REQUESTED CHANGE; AND

(II) GIVE THE PERSON WHO REQUESTED THE CHANGE WRITTEN NOTICE OF ITS ACTION.

(2) A NOTICE OF REFUSAL SHALL CONTAIN:

(I) EACH REASON FOR THE REFUSAL; AND

(II) ANY PROCEDURES THAT THE DIRECTOR HAS SET FOR REVIEW OF THE REFUSAL.

(D) REVIEW.

(1) A MENTALLY RETARDED INDIVIDUAL OR PERSON WHO IS AUTHORIZED TO ACT ON BEHALF OF THE INDIVIDUAL MAY ASK THE DIRECTOR TO REVIEW THE REFUSAL.

(2) WITHIN 45 DAYS AFTER THE REQUEST FOR REVIEW, THE DIRECTOR SHALL:

(I) COMPLETE THE REVIEW;

(II) MAKE A FINAL DETERMINATION; AND

(III) GIVE THE MENTALLY RETARDED INDIVIDUAL OR PERSON WHO IS AUTHORIZED TO ACT ON BEHALF OF THE INDIVIDUAL WRITTEN NOTICE OF THE FINAL DETERMINATION.

(E) CONTENTS OF NOTICE.

IF THE FINAL DETERMINATION OF THE DIRECTOR IS A REFUSAL TO CHANGE A RECORD, THE WRITTEN NOTICE SHALL INCLUDE:

(1) EACH REASON FOR THE REFUSAL;

(2) ANY PROCEDURE FOR INSERTING IN THE RECORD A CONCISE STATEMENT OF THE REASON THAT THE MENTALLY RETARDED INDIVIDUAL OR PERSON WHO IS AUTHORIZED TO ACT ON BEHALF OF THE INDIVIDUAL DISAGREES WITH THAT REFUSAL; AND

(3) INFORMATION ON JUDICIAL REVIEW OF THE DECISION OF THE DIRECTOR.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 59A, § 17(c)(4) and (5).

In subsections (a) and (d) of this section, references to a "mentally retarded individual or person who is authorized to act" for that individual are substituted for the references to "person", which formerly was defined in Article