

(A) IN GENERAL.

THE DIRECTOR MAY TRANSFER A MENTALLY RETARDED INDIVIDUAL FROM A PUBLIC FACILITY TO ANOTHER PUBLIC FACILITY OR, IF A PRIVATE FACILITY AGREES, TO THAT PRIVATE FACILITY, IF THE DIRECTOR FINDS THAT:

(1) THE MENTALLY RETARDED INDIVIDUAL EITHER CAN RECEIVE BETTER TREATMENT IN OR WOULD BE MORE LIKELY TO BENEFIT FROM TREATMENT AT THE OTHER FACILITY; OR

(2) THE SAFETY OR WELFARE OF OTHER MENTALLY RETARDED INDIVIDUALS WOULD BE FURTHERED.

(B) RESIDENTS OF OTHER STATES.

THE DIRECTOR MAY TRANSFER ANY MENTALLY RETARDED INDIVIDUAL WHO IS A RESIDENT OF ANOTHER STATE TO A FACILITY IN THAT STATE IF THE DIRECTOR FINDS THAT THE TRANSFER IS FEASIBLE.

(C) VETERANS' ADMINISTRATION HOSPITALS.

(1) THE DIRECTOR MAY TRANSFER A MENTALLY RETARDED INDIVIDUAL TO A VETERANS' ADMINISTRATION HOSPITAL IN THIS STATE, IF THE INDIVIDUAL IS ENTITLED TO BENEFITS IN THAT HOSPITAL.

(2) AFTER THE TRANSFER, THE CHIEF OFFICER OF THE VETERANS' ADMINISTRATION HOSPITAL HAS ALL THE POWERS AND RIGHTS OF THE ADMINISTRATION AS TO THAT INDIVIDUAL.

(D) RECORD; NOTICE.

(1) ANY FINDING THAT THE DIRECTOR MAKES UNDER SUBSECTION (A) OR (B) OF THIS SECTION SHALL BE IN WRITING AND FILED WITH THE RECORDS OF THE MENTALLY RETARDED INDIVIDUAL INVOLVED.

(2) A COPY OF THE FINDING AND THE NOTICE TO THE FACILITY TO WHICH THE MENTALLY RETARDED INDIVIDUAL IS BEING TRANSFERRED SHALL BE SENT TO THE PROPONENT OF ADMISSION, GUARDIAN OF THE PERSON, OR NEXT OF KIN OF THE MENTALLY RETARDED INDIVIDUAL.

(E) TRANSPORTING.

A MENTALLY RETARDED INDIVIDUAL MAY NOT BE TRANSPORTED TO OR FROM ANY RESIDENTIAL STATE FACILITY UNLESS ACCOMPANIED BY:

(1) AN INDIVIDUAL WHO IS AUTHORIZED BY THE STATE FACILITY AND IS OF THE SAME SEX; OR