

obsolete, subsection (a) of this section is revised to authorize the Secretary to adopt, by rule or regulation, a modern form that includes the substance of former Article 59, § 12(d)(1).

Defined terms: "Admission" § 10-101
"Facility" § 10-101 "Psychologist" § 10-601
"Mental disorder" § 10-101 "Secretary" § 1-101
"Includes"/"including" § 1-101 "Treatment" § 10-601
"Involuntary admission" § 10-613
"Physician" §§ 1-101 & 10-601

10-617. ADMISSION LIMITATIONS.

(A) IN GENERAL.

A FACILITY OR VETERANS' ADMINISTRATION HOSPITAL MAY NOT ADMIT THE INDIVIDUAL UNDER PART III OF THIS SUBTITLE UNLESS:

- (1) THE INDIVIDUAL HAS A MENTAL DISORDER;
- (2) THE INDIVIDUAL NEEDS ~~IN-RESIDENCE~~ INPATIENT MEDICAL CARE OR TREATMENT FOR THE PROTECTION OF THE INDIVIDUAL OR ANOTHER;
- (3) THE INDIVIDUAL IS UNABLE OR UNWILLING TO BE ADMITTED VOLUNTARILY; AND
- (4) THERE IS NO AVAILABLE, LESS RESTRICTIVE FORM OF INTERVENTION THAT IS CONSISTENT WITH THE WELFARE AND SAFETY OF THE INDIVIDUAL.

(B) INDIVIDUALS 65 OR OLDER.

(1) IN ADDITION TO THE LIMITATIONS IN SUBSECTION (A) OF THIS SECTION, A FACILITY MAY NOT ADMIT AN INDIVIDUAL WHO IS 65 YEARS OLD OR OLDER UNLESS A GERIATRIC EVALUATION TEAM DETERMINES THAT THERE IS NO AVAILABLE, LESS RESTRICTIVE FORM OF CARE OR TREATMENT THAT IS ADEQUATE FOR THE NEEDS OF THE INDIVIDUAL.

(2) IF ADMISSION IS DENIED BECAUSE OF THE DETERMINATION OF THE GERIATRIC EVALUATION TEAM, THE TEAM SHALL:

- (i) INFORM THE APPLICANT; AND
- (ii) HELP THE APPLICANT OBTAIN THE LESS RESTRICTIVE FORM OF CARE OR TREATMENT THAT THE TEAM FINDS WOULD BE ADEQUATE FOR THE NEEDS OF THE INDIVIDUAL.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 59, § 12(a)(1) and (2)(iii) and the second sentence of (ii) and the first sentence of (b).