

SUBTITLE 3. EMERGENCY PROVISIONS

14-301.

(A) THE DIRECTOR MAY, OR UPON THE REQUEST OF ANY PERSON ENTITLED TO BE A GUARDIAN, SHALL INVESTIGATE FULLY EACH REPORT THAT AN ADULT IS UNABLE TO PROVIDE FOR HIS DAILY NEEDS SUFFICIENTLY TO PROTECT HIS HEALTH OR SAFETY. IF, IN THE COURSE OF THE INVESTIGATION, A REPRESENTATIVE OF THE LOCAL DEPARTMENT BELIEVES THAT AN EMERGENCY EXISTS, THE REPRESENTATIVE MAY CONTACT THE LOCAL LAW ENFORCEMENT AGENCY. THE LAW ENFORCEMENT OFFICER SHALL ACCOMPANY THE REPRESENTATIVE, AND, IF THE OFFICER AGREES THAT AN EMERGENCY EXISTS, AS DESCRIBED IN § 13-709(A) OF THE ESTATES AND TRUSTS ARTICLE, THE OFFICER SHALL TRANSPORT THE PERSON TO AN APPROPRIATE HEALTH CARE FACILITY AS PROVIDED IN § 13-709(A) OF THE ESTATES AND TRUSTS ARTICLE.

(B) IF, AFTER THE INVESTIGATION, THE DIRECTOR DETERMINES THAT THE INDIVIDUAL REQUIRES PROTECTIVE SERVICES, THE DIRECTOR SHALL PROVIDE SUCH SERVICES IN ACCORDANCE WITH THIS SUBTITLE WITH THE INDIVIDUAL'S CONSENT. IF THE INDIVIDUAL IS UNWILLING TO ACCEPT PROTECTIVE SERVICES VOLUNTARILY, THE DIRECTOR MAY PETITION THE COURT FOR AN EMERGENCY ORDER FOR PROTECTIVE SERVICES, AS PROVIDED IN § 13-709 OF THE ESTATES AND TRUSTS ARTICLE, OR FOR APPOINTMENT OF A GUARDIAN OF THE PERSON, AS PROVIDED IN § 13-705 OF THE ESTATES AND TRUSTS ARTICLE.

(C) THE DIRECTOR SHALL SUBMIT WITH THE PETITION THE FINDINGS OF THE DEPARTMENTAL INVESTIGATION UNDER SUBSECTION (A) OF THIS SECTION, INCLUDING AN EVALUATION OF THE MEDICAL, PSYCHIATRIC, AND SOCIAL FACTORS THAT AFFECT THE INDIVIDUAL'S CONDITION AND A DESCRIPTION OF RECOMMENDED SERVICES.

(D) THE DIRECTOR SHALL NOTIFY THE STATE DIRECTOR OF THE OFFICE ON AGING OF EACH GUARDIANSHIP PROCEEDING THAT IS INSTITUTED BY THE DIRECTOR UNDER THIS SUBTITLE WHICH INVOLVES A PERSON WHO IS 60 YEARS OLD OR OLDER.

(E) IF THE COURT APPOINTS THE DIRECTOR AS GUARDIAN, THE GUARDIANSHIP SHALL TRANSFER AUTOMATICALLY TO EACH INDIVIDUAL WHO BECOMES DIRECTOR UNLESS TERMINATED BY THE COURT AND MAY NOT BE DELEGATED TO ANY OTHER PERSON.

SUBTITLE 4. REVIEW BOARD

14-401.

THERE SHALL BE A REVIEW BOARD IN EACH COUNTY.

14-402.

(A) (1) EACH REVIEW BOARD CONSISTS OF 9 MEMBERS APPOINTED:

(I) BY THE COUNTY ~~COMMISSIONER~~ COMMISSIONERS;