

(2) IF THE MATTER IS REOPENED, THE PETITION SHALL BE HEARD AS PROVIDED IN THIS SECTION.

7-508.

(A) AT THE DIRECTION OF THE SECRETARY, AN INDIVIDUAL WHO HAS BEEN ADMITTED UNDER THIS SUBTITLE SHALL BE RELEASED FROM A STATE RESIDENTIAL CENTER IF:

(1) THE INDIVIDUAL IS NOT AN INDIVIDUAL WITH MENTAL RETARDATION;

(2) THE INDIVIDUAL IS AN INDIVIDUAL WITH MENTAL RETARDATION BUT DOES NOT NEED RESIDENTIAL SERVICES; OR

(3) THERE IS AN AVAILABLE, LESS RESTRICTIVE KIND OF SERVICE THAT IS CONSISTENT WITH THE WELFARE AND SAFETY OF THE INDIVIDUAL.

(B) (1) AT THE DIRECTION OF THE SECRETARY, ANY INDIVIDUAL WHO HAS BEEN ADMITTED UNDER THIS SUBTITLE MAY BE RELEASED CONDITIONALLY FROM A STATE RESIDENTIAL CENTER FOR INDIVIDUALS WITH MENTAL RETARDATION, IF, IN THE JUDGMENT OF THE SECRETARY, THE INDIVIDUAL:

(I) WOULD BE CARED FOR PROPERLY BY THE INDIVIDUAL OR ANOTHER PERSON; AND

(II) WOULD NOT ENDANGER THE INDIVIDUAL OR THE PERSON OR PROPERTY OF ANOTHER.

(2) THE SECRETARY MAY SET THE CONDITIONS FOR RELEASE THAT THE SECRETARY CONSIDERS REASONABLE. THE CONDITIONS MAY RELATE TO:

(I) THE DURATION OF THE RELEASE;

(II) TREATMENT DURING RELEASE; OR

(III) PLACEMENT UNDER SUPERVISED CARE IN AN APPROVED SETTING.

(3) AN INDIVIDUAL WITH MENTAL RETARDATION RELEASED CONDITIONALLY IS CONSIDERED TO BE HELD BY THE STATE RESIDENTIAL CENTER FROM WHICH THE INDIVIDUAL WAS RELEASED.

(C) EACH DETERMINATION OF ANY RELEASE OF AN INDIVIDUAL, WHETHER FULL OR CONDITIONAL, INCLUDING A SUMMARY OF THE REASONS FOR THE DETERMINATION, SHALL BE MADE A PERMANENT PART OF THE INDIVIDUAL'S RECORD.

7-509.

(A) IN THIS SECTION, "RESPIRE CARE" MEANS CARE THAT IS MADE AVAILABLE FOR AN INDIVIDUAL WITH MENTAL RETARDATION IN A STATE