

(2) THE SAFETY OR WELFARE OF OTHER INDIVIDUALS WITH DEVELOPMENTAL DISABILITY WOULD BE FURTHERED.

(B) THE DIRECTOR MAY TRANSFER ANY INDIVIDUAL WITH DEVELOPMENTAL DISABILITY WHO IS A RESIDENT OF ANOTHER STATE TO A RESIDENTIAL FACILITY IN THAT STATE IF THE DIRECTOR FINDS THAT THE TRANSFER IS FEASIBLE.

(C) (1) ANY FINDING THAT THE DIRECTOR MAKES UNDER SUBSECTION (A) OR (B) OF THIS SECTION SHALL BE IN WRITING AND FILED WITH THE RECORD OF THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY.

(2) A COPY OF THE FINDING AND THE NOTICE TO THE PRIVATE PROVIDER OF SERVICES OR PROGRAM TO WHICH THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY IS BEING TRANSFERRED SHALL BE SENT TO THE PROPONENT OF ADMISSION, GUARDIAN OF THE PERSON, NEXT OF KIN, AND COUNSEL OF THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY.

(3) THE DIRECTOR SHALL GIVE THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY THE OPPORTUNITY FOR A HEARING ON THE PROPOSED TRANSFER UNDER THIS SECTION. A TRANSFER MAY NOT TAKE PLACE UNTIL A DECISION IS ISSUED AS A RESULT OF THE HEARING.

7-802.

(A) THE DEVELOPMENTAL DISABILITIES ADMINISTRATION MAY ASK THE MENTAL HYGIENE ADMINISTRATION TO ACCEPT PRIMARY RESPONSIBILITY FOR AN INDIVIDUAL IN OR ELIGIBLE FOR ADMISSION TO A STATE RESIDENTIAL CENTER, IF THE DEVELOPMENTAL DISABILITIES ADMINISTRATION FINDS THAT THE INDIVIDUAL WOULD BE PROVIDED FOR MORE APPROPRIATELY IN A PROGRAM FOR INDIVIDUALS WITH MENTAL DISORDERS.

(B) THE MENTAL HYGIENE ADMINISTRATION SHALL DETERMINE WHETHER TRANSFER TO A MENTAL HEALTH PROGRAM IS APPROPRIATE.

(C) A DISPUTE OVER A TRANSFER OF AN INDIVIDUAL FROM THE DEVELOPMENTAL DISABILITIES ADMINISTRATION TO THE MENTAL HYGIENE ADMINISTRATION SHALL BE RESOLVED, IN ACCORDANCE WITH PROCEDURES THAT THE SECRETARY SETS, ON REQUEST OF THE DEVELOPMENTAL DISABILITIES ADMINISTRATION OR THE MENTAL HYGIENE ADMINISTRATION.

(D) THE DIRECTOR SHALL GIVE THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY THE OPPORTUNITY FOR A HEARING ON THE PROPOSED TRANSFER UNDER THIS SECTION.

7-803.

(A) IN THIS SECTION, THE TERM "FACILITY" MEANS AN INTERMEDIATE CARE FACILITY-MENTAL RETARDATION.

(B) A RESIDENT OF A FACILITY MAY NOT BE TRANSFERRED OR DISCHARGED FROM THE FACILITY INVOLUNTARILY EXCEPT FOR THE FOLLOWING REASONS: